



## Meeting Minutes Draft

MONDAY, MARCH 26, 2012  
6:30 P.M.

**1.\* CALL TO ORDER**

**2.\* ROLL CALL/DETERMINATION OF QUORUM-** Bea Epstein, Guy Burge (6:33pm), Patrick McBurnett, Deborah Nicholas, Mike Sullivan, and David Zeigler. Excused Absent: Mark Alexander, Gerald Eick, Geoff Zahler.

**3.\* PUBLIC COMMENT –**

Margaret Martini spoke about the bear trash issue we are having and capturing of the bears. I would like you to consider an ordinance of a bear proof trash can requirement and strict fines. Carson City has a municipal code. She read the Carson City laws. There needs to be stronger enforcement.

Ken Cash spoke in opposition of North Demonstration Project. Safety, traffic, erosion. Real estate professional for 20 years. Problems with ski resort and impact on property values. \$35,000K loss in value. Noise, scenery, traffic, music, smells from vehicles. Currently, there are complaints filed with real estate division because of noise issues. Written disclosure regarding the ski resort noise. You are adding another complexity to this area. Won't be able to enjoy the beauty. There are wildlife that use the area; this would affect them if people park there.

Craig Francis – 3 year resident; homeowner for 14 years. Objection to using the Diamond Peak parking lot as overflow parking lot. Sand Harbor wants to use our DP parking lot as our problem. Taking up space we could be using. Increased traffic to our area. They won't contribute to local economy. Concerned with drunk driving, traffic, dust, smog, littering.

Steve Pulver - HOA president of Bitterbrush. He said Karen presented to the bitterbrush HOA. Every 20 minutes there would be a shuttle going to DP. We opposed and sent a letter to TDD and IVGID with 108 homeowners who oppose this project. We suggest they find another alternative. Upper Tyrolia opposes it. They are all impacted.

Dick Trossin – Tyrolian resident and ex-president of Bitterbrush HOA. Come up and take a look. 235 homes on 14 streets going into one road, in and out. All the owners understand they bought up there and have to deal with busy winters on that street, but didn't realize they bought to deal with busy summer parking as well. From a Fire Board stand point, 1500 trees were cut; concerned with fire problem - access of fire trucks going up and back. Approximately 90-95 people live up there year round, and 200 people live up there during the summer.

Frank Wright – Biggest concern is that the parking lot belongs to those residents. Why are we giving our parking lot away to people who don't live here? To give away more of our property, and allow busses and traffic. Let's quit giving away our property.

Barbara Pulver – Bitterbrush resident 6 years. She was concerned with noise but got use to the winter noise. We purchased knowing that winter noise. Children will be affected by more traffic in the summer with this shuttle. We weren't expecting. Use the old school parking lot instead of diamond peak.

John Finney - wants to implement this express. Pedestrians walking in traffic lane is a hazard. This is a life and death issue. We have asked NDOT to lower the speed limit in that section. Not important where we park, but it's important to get this service in place.

Andy Whyman – I came with an open mind, and I was hoping to learn more about this. I encourage this board to listen carefully to the facts; we are responsive to strong opinions.

Shawn Noonan – Vice president on Tyrolian Board. I have heard a lot of neighbors with their concerns. People will be driving in areas and crime rates might go up.

Craig Olsen- New resident. We have experienced the issues with highway 28; we understand the issues the residents up there might have, but something has to be done. It is a major issue. Life safety issue. Someone has to make a sacrifice.

We have to do a pilot program. We need to use public transportation. There are issues with drinking. Put program in and find final result.

4. **APPROVAL OF AGENDA FOR MARCH 26, 2012** – Bea Epstein reported the date in the header needs to reflect 2012, instead of 2011. Patrick McBurnett made a motion to approve the agenda of March 26, 2012 with the suggested changes, and Deborah Nicholas seconded the motion to approve the agenda with changes.
5. **APPROVAL OF MINUTES FOR THE MEETING OF NOVEMBER 28, 2011** – David Zeigler made a motion to approve the minutes for the meeting of November 28, 2011. Mike Sullivan seconded the motion.
- 6.\* **REPORTS AND UPDATES – The following reports and updates will be limited to five minutes each.** (These items are informational only and no action will be taken by the CAB.)
  - A.\* **Updates/Announcements/Correspondence** –
    - Mike Sullivan – Attended the CAB chair meeting, he read some items from the County agenda. The CAB chair is to call the county representative directly if they want them to present at the CAB meeting. Received correspondence from John Eppolito.
    - Dave Zeigler – spoke about the fire damage at Caughlin Ranch; the path in that area is open. Looking for volunteers. Notices from Washoe County - listed websites and facts about the county. Open house on Thursday for grading standards regarding construction. Community meeting regarding road projects is on the 29<sup>th</sup> held at the Chateau.
    - Correspondence has been received from Sue Callahan, Lee Webber Kock, and John Finney (east shore project), and a copy will be included for the record.
  - B.\* **Washoe County Sheriff's Office, Incline Substation Items** – Officer Jeff Clark said there are no present issues. Budget cuts and reduce services. No weekend service desk. Online reporting is encouraged. There will be kiosks for those who don't have access to email. There will be 2 officers minimally. WC officers have jurisdiction in the County. It's beneficial to have additional law enforcement. Hwy Patrol help the Sheriff. They assist and work well together. Reduce cuts and reduced services; we are trying our hardest. Sheriffs office will investigate accidents if highway patrol aren't available. Patrick McBurnett said the County has done a great job on reducing the budget. Upset we are losing Sheriff, but gaining highway patrol. Is there a statue that requires people to wait for Highway patrol and maintain the situation? Highway Patrol Officer Stepien said there isn't a law that prohibits WC sheriff from doing their job. Hwy Patrol assist them with calls. Dave Zeigler asked for clarification regarding the regulation of Sheriff and Highway Patrol answering calls and traffic accidents. What is the law regarding the service?
  - C.\* **Washoe County Road Department, Incline Station Items** – Bill Oroszi, Roads Division Director was not present, but Dave Solaro reported. Bea Epstein reported that Dick Minto has joined NCE consulting.
  - D.\* **North Lake Tahoe Fire Protection District Items** – No comments were made by the representative.
  - E.\* **IVGID Items** – General Manager, Bill reported on the following issues:
    - Bear issues and complaints.
    - Budget workshop on Wednesday, March 28
    - Article in the Bonanza with inaccuracies
    - IVGID's Water was named best tasting in NV.
    - TDD's request is not on the IVGID agenda
  - F.\* **Washoe County Updates** – Commissioner John Breternitz reported:

Will cover agenda items as they come up.  
County is in line for revenue reduction; we are looking for areas. Wage reductions. If we don't have terms in place, we have to layoff more people. We have had to prioritize. Public safety is a priority – high importance. We are doing the best we can in that regard. David Zeigler asked for clarification regarding the Special Use Permit with party rentals.
7. **NEW BUSINESS** –
  - A.\* **North Demonstration Project** - Carl Hasty spoke about the Highway 28 corridor access and safety issues. Short term and long term solutions. We want to work with the community to find the answer. Pilot program would include the lower parking lot at Diamond peak. Help us find the answer. Thank you.

Derek Kirkland & Karen Mullen – showed a slide show. Same compact in the Tahoe planning agency. Coordinated strategy plan. In 1996, Highway 28 was named as a scenic byway. Working on corridor management plan. We are looking at the existing projects in the old plan. Working with numerous agencies. They showed pictures of peak summer months. Issues include: safety and deterrent to the environment. 2.6 million visitors. 17% increase in visitation. Emergency vehicle access impaired. Sand Harbor entrance congestion. TDD opportunity - how we can enhance corridor. Corridor Management Plan: Assessment of existing plans/new, where are there gaps in analysis, gateway features, existing projects and new projects. We meet monthly on how we can address the immediate issues and long term issues. We plan to do a public outreach. We would like to come back in June. Public meeting in IV, Reno, Carson, to capture how this corridor is being used – work with communities and accommodate needs. People and cars are in the street. Transit plan – more enforcement to prevent parking on street, or/and give them an alternative. Lack of parking for the corridor. Look at how many are parking on the roadway, capacity study, user studies, road safety audit. Congestion issues are from Incline Village to Sand Harbor. If we can address that issue in short term, and monitor that. East Shore Express Pilot Program: For approximately 40 days, the Sand Harbor (SH) lot is full by 11am. People are determined to go to SH and park on the street and walk with their children. Safety and environment would be addressed with the alternative program. We looked at the school district sites, but it conflicted with the schedule. Need to provide regular shuttle service every 20 minutes. Park entrance fee, and bus fee of \$3. Need parking for a minimum of 150 cars. The Corridor Management Plan (CMP) to be wrapped up in October, if we can find a parking lot, it can buy us time and money and address short term issues now; Karen reviewed the long term solutions – bike way from stateline to stateline. We had funding to look at the IV to SH. We are analyzing the environmental plan. Provide alternative transportation to circumvent the lake. We understand that a certain population ‘road warriors’ won’t get off the road, but a large population of bikers, we can alleviate problems by creating a separation. Lower alignment and upper alignment. Sewer line replacement; contacted IVGID regarding co-locating utilities with bikeway. Reviewing safe and off highway parking areas of all Highway 28. Need to designate safe parking. We are also looking at safe scenic vistas and emergency pull outs. Limited in summer time. Information technology for corridor user – smart phone application; need to manage corridor through technology. Environmental improvements and other projects. Transportation system connectivity; how does it all connect and how it is being accessed. Need to consider recreational activities, residents, traffic, and everything is being review for CMP. by August, the first draft will be ready for review. We want surrounding cities comments and input. Current challenges are access, water quality, physical topography and constraints. Derek said they are coordinating with different agencies to develop resolutions together; enhances our communities. Highway Patrol Officer Rob Stepien submitted and read a letter for the record. That corridor and immediate change is needed. Open to questions. Stepien said there are 4 officers for the entire lake; we are spread thin. We are aware and understand it’s a hazard. People are tailgating, and accidents happen. SH has a 650 car capacity for cars, including 75 for boats.

#### Comments/Suggestions:

All those cars that are waiting early in the morning. Open Sand Harbor early to get the cars off the road. You should ban the car. What about the Ponderosa? Your solution has to be minimize car traffic at all in that corridor. Public transportation should be the solution. Coordinate with SLT.

Derek/Karen/Carl – In summary, said we need to determine where people go so we can determine where the bus would stop. We are trying to create a regional transpiration system; long term solution/goal is to connect North shore to South Shore. One step at a time. We want to do this pilot logically.

Jay Howard from Sand Harbor said they are conducting a capacity study. It supported what the parks staff already knew. We don’t want to do anything that encourages more capacity. It’s counterproductive to build more parking lots. We don’t have the capacity to serve additional people. TTD is a coordinated effort that solves the problem. We want to address the problem of parking on the highway. Enforcement is difficult because there isn’t any alternative. Karen said the people are going to the beaches, and trail head and other recreational activities.

Bea Epstein said that only Sand Harbor was designated for recreation, but these other beaches are being used now. She suggested the CBC parking structure. They could accommodate with the parking structure; might be more ideal than DP. Carl said they considered CBC, but with the construction starting this summer, more traffic isn’t going to work.

Guy Burge recommended a water taxi. Carl said they haven’t considered that. Jay said, in the past, a non-profit group/diver association – operated a boat taxi transit for a season; had no success, and couldn’t continue.

Stepien said the parking area outside Sand Harbor will be restructured. Put things up to prevent parking and increase the ticket fee.

Public Comment:

- Ken Cash - Why can't you control that area? When the park is full, it's full. Turn them away.
- Craig Francis – it will become our problem. We don't have the facilities to handle that.
- Jim Nowlin – way too many people who want to use this facility. Best solution is to entry by reservation only.
- Phil Horan – enhance the experience, and not to grow the crowd.
- Steve Dolan – cars and bus and cyclists. It's dangerous. Those buses are huge. Clear the highway before you introduce this. Appointment only just like other state/national parks. We would have to make more stop signs. Control the congestion.
- Andy Whyman – applaud public agencies to work together. You haven't convinced the community. The best idea is to have a system to pre plan, and make appointment. We are at max capacity. Limit the number of vehicles and people. Put a system in place. Sign up early.
- Margaret Martini - limiting boat ramp area to allow more cars.
- Jeff – live in the last house on HWY 28; for 30 years has watched people walk in the street. Dangerous situation, erosion. Use the parking lot and get information/data using this pilot program. That road can handle the cars – it's evident in winter.
- Frank Wright – agreed with Jim Nowlin regarding passes to the park like Yosemite. Shut the road to parking.
- Craig Olsen- think about the kids. There needs to be long term. The pilot program is the best for what is happening now. Not perfect, but what works now. They need to do this pilot program. Everyone needs to step back and think about long term.
- Don Epstein – people with boats have problems as well. Consider the overall picture. It's not just car, it's people, boats.
- John Finney – the people who can't go to SH, they will go to hidden beach and the other non official beaches. The parking will be an issue for those other beaches. Closing the park will impact the village.
- Steve Pulver – law enforcement is being cut back due to budget cuts. Residential areas will be impacted due to SH closure. Stepien said we haven't experiences those problems yet. Losing man power to LV
- Frank Wright – put a electric sign at Mt. Rose & Carson city – need signs at the bottom of the hill to tell people that SH is closed. Stepien said if people are determined to park, they will come and wait.
- Jay said the traffic dies down at 3, and we close until 3 and reopen. We have talked to a company who does camping reservations. It's new and unique for day use reservations.

Bea Epstein summarized comments. Positive recommendations. Thank you to those representatives that are working on the project and their effort for collaborative effort.

- Open the park earlier to alleviate the traffic back up.
- Implement a Reservations system
- Ban all parking outside; no pedestrians walking on the road.
- Other beaches with no facilities and the parking
- Tow a car that is parked illegally.
- The group has heard from residents and their feelings about using DP parking lot. Valid ideas and understandable.
- Thank you everyone for your respect and courtesy.
- Derek – contact info. 775-589-5504. Flyers and info is available.

**B. Special Use Permit Case No. SB12-002** – AT&T Mobility, Incline Village High School, Wireless Communication Facility – Review and recommendations on the request to replace an existing stadium light pole and replace it with a wireless communication pole including 12 panel antennas and ancillary equipment, and construct an equipment shelter within a 26' x 18' fenced area. The parcel is located a the sports stadium at Incline Village High School, 499 Incline Village Boulevard, approximately 400 feet north of its intersection with Northwood Boulevard, Incline Village (APN 124-071-52) and is 19.01 acres in size, is zoned Public and Semi-Public Facilities (PSP),and is located within the Tahoe Area Plan. This request is Authorized in Article 324, Communication Facilities and Article 810, Special Use Permits in the Washoe County Development Code, is in Commission District 1, within Section 15, T16N, R18E, MDM Washoe County, NV. Staff Representative: Sandra Monsalvè, AICP, Senior Planner, 775.328.3608, [smonsalve@washoecounty.us](mailto:smonsalve@washoecounty.us). (This application is tentatively scheduled to be heard by the Washoe County Board of Adjustment on April 5, 2012).

Discussion:

- Bea Epstein attempted to call Cindy Sage, spoke person for opposing side, but couldn't reach her.
- Garry, representative AT&T mobility project, said on behalf of AT&T, I'm working with Washoe County on this project. We have submitted all components required by the planning project. AT&T mobility has requested WC approval on a special permit. Bea asked that he address the safety issues. Raj Mather, Licensed Electrical Engineer, stated that evaluated the site for FCC guidelines, and it does comply. Maximum exposure level is 1.2% of the FCC limit, which is 80X below the FCC standard.
- Specifics about location – project descriptions were handed out. It's located near storage facility on stadium ground; existing light pole. Height is within guidelines.
- Washoe County school district representative is present to answer questions.
- Has this info gone to residents in the surrounding area; this is the first time it's brought to them.
- Could this be installed in another location? Garry said they have looked at alternative locations.
- Additional concerns: structure and radiation. Raj said the signs are not required for public, but for the workers on the tower. The levels are below the FCC standards. The maximum radiation power is dissipated at 85 feet. He explained the power.
- Is it beneficial to other cell phone users. Garry explained this facility is only for AT&T users.
- Are there reports regarding cell phone tower radiation is dangerous? Raj said not that he is aware of. The numbers are based on studies.
- The radiation fans are aimed at the horizon. Can it be located in other, less populated areas. Must be alternative sites. I don't understand your choice of location. Garry explained that it creates a pattern that will give optimal coverage to the area. They are dependent on the other towers.
- You should have thought about the people first. It's a young technology.
- Neighbors have not been notified.
- For only \$1500 per month, it's foolish to put our children at risk.
- In 2004, a phone company tried to install at the fire department on Mt Rose. Why isn't the school district concerned about our children?
- Why take a chance with possible health risks to our children. We need an expert to come in and research this issue. Health risks involved with installation of towers. Much worse for children than adults.
- Petition on myinclinevillage.com.
- It doesn't service other companies. There could be more power added to service other phone services. Garry explained that our tower isn't approved to hang another company, however we wouldn't be opposed.
- Won't these electric magnetic emissions damage.
- There is plenty of coverage already; don't understand the need to install another tower.
- There is a lack of due diligence on the County's part.
- Raj – not aware of any study that proves that electric magnetic cell phone towers cause damage. Square distance, the power drops. Different standards say the same thing. Similar to FCC.
- Question to Raj - Would you live next to this? Raj said yes; I'm comfortable with this, and exposing myself and family to this.
- There is a perceived hazard which would affect people buying into Incline Village. The property value will decrease with this.
- There needs to be more information.
- There are many studies from hand sets and radiation. There is a lot of concern regarding tower sites.
- Raj – difference between cell phone and tower site. More radiation from cell phone than from a site.
- Mark Staton from the Washoe County School District said WC School District has tremendous concern of the safety of the students. We wouldn't do anything that would put our children at risk. Little or no evidence of electric magnetic radiation danger. Only studies found are regarding hand held, not cell tower. We have researched that. Communication Act – regarding leasing site space, we can't deny that. We have this tower at 6 other schools and had no opposition. By state law, the County can't deny request to put up a facility. Federal/state law requirements.
- Teresa Eppolito read a statement for Christy Lowden, who couldn't make the meeting, for the record. Concern about schools near cell tower. This needs independent studies.
- The fire fighters didn't want it. We need take that into consideration.
- Shame on AT&T for targeting a school because they know they can't deny it.
- How can the fire department deny it, and the school district can't? The fire department at the bottom of the hill was a volunteer station when one was installed there.

- CAB member Patrick McBurnett read statements from studies. He said there is no known affect according to the National Institute of Health. No evidence that can lead to cancer according to the National Cancer Society. A lot of emotionally based information.
- What happens if there isn't one installed? Garry said there will be loss of coverage and as subscribers increase, there needs to be more coverage.
- What happens if the tower is installed somewhere else? Garry said as far as visual, this is the best location – it blends in the best with the area.
- Why in such a populated area? Garry said this location provides optimum coverage for everyone.
- Where is a similar site structure? How many more proposed locations. Garry said the tower is with the stadium lights. Reno has identical sites. The additional proposed locations are in your packet.
- I don't think that would pass city ordinance with TRPA. Garry said we will come to that when it goes to approval.
- CAB member Dave said there is a concerned about lack of notification. Question about technology and get a fair hearing. Also, concerned about the look of the tower. I disapprove the item because there is no time to get community input and no collaboration; allow more time for communication to the community and for the plan to be a joint effort with other companies.

David Zeigler made motion a motion to disapprove the project. Mike Sullivan seconded the motion. In favor of the motion to disapprove the installation of the AT&T tower were the following members: Bea Epstein, Guy Burge, Deborah Nicolas, Mike Sullivan. Patrick McBurnett opposed the motion. The motion to disapprove the project was passed.

**C.\* Alarm Ordinance** - Jeff Clark reported the Alarm Ordinance is being changed. The discussion is ongoing. Two deputies attend to alarms. 98% are false alarms due to poor maintenance of the alarm. If you have an alarm in your house with light or sound, you have to have an alarm permit of \$24 per year. A company manages permits. Download from WC website or WC sheriff website. There is a fee for false alarm of \$100, \$200 panic alarm. When they make changes, we can come back and report. Don Epstein said you don't have to renew the permit unless something happens. Jeff Clark said it's annual renewal fee. John Breternitz confirmed that annual renewal fee can be waived if there are no issues.

**D.\* Building Permits** - Don Jeppson, Washoe County Building and Safety, gave an update on the status of his department regarding budget cuts and services; large building department. Looking at permit software installed by the end of the year to implement an easy permit program. Download the application and fax it in with credit card information. We will fax, mail, or email you a permit, which is limited to simple permit. The Hyatt remodel used the space doc program; documents/plans submitted electronically. Don reviewed the fees and pricing regarding the table to compute pricing. Evaluations depending on location, project size. We are seeing positive revenue. Incline Village permits are more complex.

**E.\* Washoe County Public Works** - Dave Solaro, Acting Washoe County Public Works Director, spoke about the concerns about snowplowing. On the 29<sup>th</sup> of February, we had an average storm, and he rode the routes with drivers; saw everything for himself. We try not to bury drive ways. When driveways are marked, they are easy to not create a burm for them. When they aren't marked, it's easy to miss them and create a burm. Contact Dave if you have any questions. You can ride along with the guys. 9 operators, 3 extra if we need it. May 7<sup>th</sup> – June 7<sup>th</sup> - Gonowabi shoulder repair project. Storm water project in 2013.

**F. Possible Rescheduling of the May Meeting** – Discussion to change the May 28th, 2012 regular meeting due to the Memorial Day Holiday to May 21, 2012 or June 4, 2012. John Breternitz said to move the meeting to 5:30pm, there needs to be an agenda item to vote on it. David Zeigler said he won't be here on the June 4<sup>th</sup>.

Guy Burge made a motion to move the May meeting to June 4<sup>th</sup>. The motion failed due to lack of support. Bea Epstein made motion to move the May meeting to May 21. All in favor. Motion passed

## **8. OLD BUSINESS – No Old Business Items.**

### **9.\* CHAIRMAN/BOARD MEMBER ITEMS**

**Next Agenda Items:** (Items for the April 23, 2012 meeting must be submitted to the Chair by April 6, 2012).

- Change the CAB meetings to 5:30pm instead of 6:30pm.
- Health Clinic – Porche Adams.

**10.\*PUBLIC COMMENT** – No public comment was made.

11. **ADJOURNMENT** – Mike Sullivan made a motion to adjourn the meeting, Deborah Nicohlas seconded the motion to adjourn the meeting. Meeting was adjourned at 10:15pm.